

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11103 of 2017

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Dhananjay Singh, son of Shri Dinesh Singh, resident of Village P.O. -
Raghunathpur, P.S. - Brahmpur, District - Buxar, PIN - 202134.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary Petroleum Department,
Government of India, New Delhi.
2. The General Manager, Petroleum Department, Government of India, New
Delhi.
3. The Deputy General Manager, Retail Sales, Petroleum Department,
Government of India, New Delhi.
4. The Chief Divisional Retail Sales Manager, Petroleum Department,
Government of India, New Delhi.
5. The Director, Indian Oil Corporation, Jai Prakash Bhawan, Dak Bungalow
Chowk, Patna, Bihar.
6. The Manager, Indian Oil Corporation, Dak Bungalow Road, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Suraj Deo Singh, Advocate
For the Respondents no. 2 to 6	:	Mr. Amlesh Kumar Varma, Advocate
For the UOI	:	Mr. Uma Shankar Verma, senior Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
and
HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH)

Date : 10-11-2022

Heard Mr. Suraj Deo Singh, learned counsel for the
petitioner; Mr. Amlesh Kumar Varma, learned counsel for the
respondents no. 2 to 6 and Mr. Uma Shankar Verma, learned senior
counsel for the Union of India.

2. The petitioner has moved the Court for the following
reliefs:



“(i) For issuance of a Writ in the nature of Certiorari or any other appropriate Writ/s, Order/s, Direction/s for quashing the order dated 14.06.2017, issued under the signature of Deputy General Manager Respondent No. 3, rejecting the candidature of the petitioners for Kishan Seva Kendra (K.S.K.) Dealership on the ground that the land offered by the petitioners is falling under Raghunathpur Mauja but the Advertisement was for Brahmpur Mauja.

(ii) For issuance of a Writ in the nature of mandamus or any other appropriate Writ/s, Order/s, Direction/s, commanding the respondents for the following:-

(a) To treat the order contained in Annexure- to this Writ petition is nonest in the eye of law.

(b) To direct the respondents to allow the petitioner to participate in the draw system for selection of Kishan Seva Kendra (K.S.K.) with respect to the Dealership, Brahmpur (Brahmpur-Raghunathpur Road) of Buxar District

(c) To dispose of the representation of the petitioner forthwith.

(iii) To any other Order/s, Relief/s for which the petitioners are entitled.”

3. The basic grievance of the petitioner is that though he had also applied for grant of running a petrol station by the Indian Oil Corporation under advertisement dated 22.10.2014 for the location Brahmpur (on Brahmpur- Raghunathpur Road), initially he was cleared and papers relating to the land for verification were asked for, but finally, on 14.06.2017, an order has been passed to indicate that the land proposed by the petitioner did not fulfill the criteria. Learned counsel submitted that the same is erroneous for the reason that as per the advertisement, it was only



written Brahmpur (on Brahmpur-Raghunathpur Road). This, according to the learned counsel did not indicate that the land had to be in Brahmpur *Mauza*/village. Thus, it was submitted that the reason for rejection is erroneous and the same has been done for extraneous consideration.

4. Learned counsel for the Indian Oil Corporation, who has filed counter affidavit, submitted that from a plain reading of the advertisement it would be clear that the main area/site was Brahmpur and it was only indicated that the position of the land should be on the Brahmpur-Raghunathpur Road, which, according to him did not mean that the land could be situated in Raghunathpur *Mauza*.

5. At this juncture, when called upon, learned counsel for the petitioner does not dispute that the land offered by him was in Raghunathpur *Mauza*.

6. Having considered the rival contentions, the Court does not find any reason to interfere in the matter.

7. From a plain reading of the advertisement itself, it is clear that the site had to be Brahmpur and only by way of explanation, “on Brahmpur-Raghunathpur Road”, was indicated. Thus, the site had to be Brahmpur and the location had to be on



the Brahmpur-Raghunathpur Road. This admittedly is not the position with the land offered by the petitioner.

8. Accordingly, the Court does not find any merit in the writ petition and the same stands dismissed.

(Ahsanuddin Amanullah, J)

(Sunil Dutta Mishra, J)

Anand Kr.

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